

SITUATIONAL HUMAN RIGHTS OVERVIEW IN BURMA

January - April 2020

Contents:

COVID-19 & Human Rights
Censored Spaces & Crackdowns
on Free Press

Rakhine State
Shan State
Karen State

Member Updates

Bi-Annual Report Summary



Network for Human Rights Documentation - Burma

nd-burma.org

COVID-19 & HUMAN RIGHTS

As cases of COVID-19 spread globally, there are legitimate concerns that the response in Burma will be rooted in a militarised approach. Burma has formed an emergency task force with military and civilian ministries to support measures around law enforcement and stability and to step up government efforts to respond to the pandemic in the country.

However, these efforts have been met with caution as it appears the Burma Army is only interested in preserving their power through any means possible. The military has their own budget and facilities for health and care, which are inaccessible to the majority of the population. It has been made clear that the military is well prepared to protect themselves from COVID-19, though the same cannot be said for civilians.

Despite a government plan and commitment to provide basic essentials to poor people to fight COVID-19 including, rice, oil, salt, bean and onion, to those in need during the traditional Thingyan water festival, civil society organisations (CSOs) are worried this is not enough. Government assistance should include Internally Displaced Persons (IDPs) as well.

It is of further concern that fighting remains active across the country, particularly in Rakhine where conflict is made worse by the government imposed Internet shut down. This makes it even more difficult for civilians to gain access to information about COVID-19. If someone becomes infected, it spreads quickly to the community and without adequate access to health care, the results could be devastating.

CSOs are currently working overtime to fill the gaps and facilitate food, basins for hand washing and disinfection sprayers.

U Khaing Myat Kyaw , editor-in-chief of the Rakhine-based news journal, Nairnjara and U Hlaing Thit Zin Wai , editor of online news portal Yangon Khit Thit Media are facing charges for interviewing Arakan Army spokesperson Khing Thu Kha, after the group was declared unlawful and terrorist organization on March 23. The two editors have now gone into hiding to avoid arrest.

Ko Nay Myo Lin, Voice of Myanmar's chief editor, was charged with terrorism after publishing an interview with the Arakan Army. Charges have since been dropped.

Burma's communications ministry also ordered mobile operators to block dozens of websites over "fake news."

The case has been met with backlash from the human rights community and other Burma journalists who started a 'Journalism is not a Crime' Facebook account as a move of solidarity to those arrested and in jails across the country.

--

Freedom of expression continues to decline in Burma. In January, youth-led rights organization, Athan, shared that the military had filed nearly 50 lawsuits against journalists.

RAKHINE STATE

Conflict in Burma has reached **a level of desperation for civilians**, particularly those living in northern Rakhine State, who have been forced to flee clashes taking place almost daily. As humanitarian aid workers struggle to meet needs of communities, their operations have been compromised by the world's longest information blackout in several townships in Rakhine and Chin States.

On 24 March, the Burma government declared the Arakan Army (AA) a terrorist organization. Just a few days before, the Ministry of Foreign Affairs committed to increasing relief aid for IDPs displaced by conflict between the Burma Army and the AA. As the number of IDPs grow so do their needs for shelter, food and health care.

According to the All Arakan Students' and Youths' Congress (AASYC), **more than 190 civilians have been killed and over 410 injured** due to the conflict in Arakan and Paletwa township. The Rakhine Ethnic Congress (REC) relief group said that fighting has displaced about 150,000 people in Rakhine and adjacent Chin state since early 2019.

The militarized tactics are grounded in the well known **'4-cuts strategy,'** as the Burma Army attempts to undermine the operations of the AA by denying them access to food, money, information and new recruits.

SHAN STATE

In March, the Three Brotherhood Alliance, which includes the Ta'ang National Liberation Army (TNLA), the Myanmar New Democratic Alliance Army (MNDAA), and the Arakan Army (AA) **announced an extension of their ceasefire** in a statement to last 25-days (from 1 March to 25 March).

A day later, the Burma Army accused the Restoration Council of Shan State (RCSS) of violating the Nationwide Ceasefire

Agreement (NCA) following increased clashes in Mine Kaing township, Shan State. The RCSS responded by **blaming the military** for the fighting and accused soldiers of firing at the RCSS on Lwetman mountain. Civilians were forced to flee and now the RCSS is re-considering its participation in the Union Peace Dialogue Joint Committee, as well as the Joint Monitoring Committee Meetings. This is of great significance as the involvement of the RCSS has been symbolic in the peace talks to date.

The ongoing clashes have compromised state stability with injuries and casualties on both sides as a result. **The numbers of IDPs are rising with no regard being given to their livelihoods and security.** Further, the situation has heightened by large-scale drug seizures which has been an area of concern fueling corruption and unrest.

KAREN STATE

The Burma Army's attacks on civilians in Karen State have been taking place for decades. Most recently Saw The Mee, a 56-year old community forest leader in an indigenous Karen customary territory in the Salween Peace Park was shot and killed by the Burma Army on 31 March. The Karen Peace Support Network condemned the attack and expressed anger and concern over the **lack of accountability.** On 5 March, a forest ranger was also killed by the Burma Army.

At the end of February 2020, there were **253 families including 864 women and 856 men, and 417 children** under the age of 5 in Mutraw district, Karen State who had been forcibly displaced by armed conflict due to the expansion of the Burma Road. The clashes have taken place despite a ceasefire pact, as many attempt to escape indiscriminate gunfire and shelling by the Burma Army in KNU controlled areas.

MEMBER UPDATES

ND-Burma affiliate member, the Chin Human Rights Organisation shared a news release on the Burma Army air-strike which killed seven civilians. Those **killed included 2 children and a mother and infant.** A further 8 civilians were injured and 8 houses from Hnan Chaung village, Hna Ma Dar Village Tract, Paletwa Township were burned to the ground on 7 April 2020.

CHIN

SHAN

Ta'ang member organizations, the Ta'ang Women's Organization and the Ta'ang Students and Youths Union, noted 18 documented cases of **arbitrary arrest, torture and forced portering** in northern Shan in March 2020.

RAKHINE

ND-Burma member, All Arakan Students' and Youths' Congress, documented 130 cases of **killing, torture/ inhuman degrading treatment, disappearance, arbitrary arrest and oppression of media** in Arakan State and Paletwa (Chin State) since January 2020.

Despite the UN General-Secretary Antonio Guterres calling for a **'global ceasefire,'** the Burma Army has rejected calls for ceasefires from the Brotherhood Alliance and the Chin National Front. Clashes remain active across Burma's ethnic states indicating that COVID-19 has **not changed the rules of combat.**



BI-ANNUAL REPORT SUMMARY FINDINGS

On Friday, March 27, ND-Burma released our bi-annual report on human rights violations documented between July to December 2019.

A serious lack of trust in the judicial system has contributed to an overall climate of fear and hopelessness in Burma's ethnic areas, particularly where civilians are caught in the crossfire of conflicts escalating in northern Rakhine and Shan states.

174

documented human rights abuses
from July - December 2019

87

Human rights abuses
committed by the Burma Army

16

Human rights abuses
committed by EAOs

63

Human rights abuses committed
by unknown perpetrators

The majority of civilians were impacted by:

LANDMINES

INDISCRIMINATE
SHELLING & GUNFIRE

ARBITRARY
ARREST

ND-Burma is a network that consists of 13-member organisations who represent a range of ethnic nationalities, women and former political prisoners. ND-Burma member organisations have been documenting human rights abuses and fighting for justice for victims since 2004. The network consists of nine Full Members and four Affiliate Members as follows:

Full Members:

1. Assistance Association for Political Prisoners
2. Human Rights Foundation of Monland
3. Kachin Women's Association – Thailand
4. Ta'ang Women's Organization
5. Ta'ang Students and Youth Union
6. Tavoyan Women's Union
7. Association Human Rights Defenders and Promoters
8. All Arakan Students' and Youths' Congress
9. Future Light Center

Affiliate Members:

1. Chin Human Rights Organization
2. East Bago – Former Political Prisoners Network
3. Pa-O Youth Organization
4. Progressive Voice